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SUMMARY RECORD OF THE 795th MEETING

Held at the Palais Wilson, Geneva,
on Friday, 13 May 2002, at 3 p.m.

Chairperson: Mr. DOEK

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of the United Arab Emirates (continued) (CRC/C/78/Add.2; CRC/C/Q/UAE/1; written replies of the Government of the United Arab Emirates to the questions in the list of issues (document without a symbol distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the delegation of the United Arab Emirates took places at the Committee table.

2. Ms. AL-HOWSANI (United Arab Emirates) said that a Children's Parliament had been established in the Emirate of Sharjah to encourage children to exercise their right to express their views and to become involved in finding solutions to the major problems they encountered. Government officials attended the sessions and ensured that due consideration was taken of the proposals made by the children. The members of the Children's Parliament were elected by students' councils, which were formed in all State schools, and which also had a say in the topics that would be discussed. Parents' councils also played a significant role in the Children's Parliament.

3. Ms. AL-MULLA (United Arab Emirates) said that a law had been adopted in 1974 prohibiting the use of corporal punishment in educational establishments. Criminal charges could be brought against any teacher found guilty of inflicting corporal punishment. In a recent case, a head teacher had been dismissed for having administered corporal punishment to pupils. The Ministry of Health had adopted measures to raise awareness of alternative methods of punishment and had introduced behavioural guidance programmes to help teachers to deal with misbehaved children. Workshops had been organized to encourage greater interaction between parents, teachers and children. A women's association played a major role in the campaign to protect children from corporal punishment and had organized awareness-raising seminars and workshops.

4. Mr. AL-KHADHER (United Arab Emirates) said that the Federal Nationality Act stipulated that a woman who was a national of the United Arab Emirates was entitled to pass on that nationality to her descendants if the father's identity was not known. A child with a foreign father could be granted Emirates nationality if the parents divorced or if the father was deceased.

5. Ms. AL-HOWSANI (United Arab Emirates) said that the Government considered it very important to uphold traditional family values, which, generally speaking, were not incompatible with modern family values. However, efforts were being made to eliminate any traditional practices that posed a health risk. While the extended family had traditionally been seen as the cornerstone of society, the nuclear family now played a greater role.

6. Ms. AL-AMERI (United Arab Emirates) said that the Government had introduced the Marriage Fund in 1973 to encourage young people to get married and start a family. In order to be eligible for the Fund, the prospective partners had to be nationals of the United Arab Emirates and both had to be of limited resources. Both applicants had to be at least 18 years of age and

were obliged to undergo a medical examination and obtain a certificate attesting that they were free of contagious diseases. The grant amounted to 70,000 dirhams, half of which was given to the couple before the wedding. The Government, with the cooperation of various women's associations, had been conducting awareness-raising activities to teach young girls about the realities of marriage and to highlight the importance of undergoing a premarital medical examination; the campaigns had been successful because 80 per cent of women were now in favour of such examinations.

7. The CHAIRPERSON said he failed to understand why the Government considered it necessary to provide a marriage grant to young people. Were young people in the State party reluctant to get married?

8. Mr. CITARELLA said that the reporting State should indicate whether minors under the age of 18 years could marry, given the incompatibilities between customary law, modern law and Islamic law. It would be interesting to learn whether it was compulsory for a woman to pass a medical examination before marriage.

9. Ms. TIGERSTEDT-TÄHTELÄ said that more information should be provided about the telephone hotline that had been established by the Marriage Fund to provide counselling in the field of family relations.

10. Mr. AL-JARMAN (United Arab Emirates) said that the Marriage Fund was one of several measures that had been adopted to encourage people to marry and to have children, in order to boost the country's low population growth rate. Another measure had been the introduction of family allowances.

11. Ms. AL-HOWSANI (United Arab Emirates) said that although a person could legally marry at the age of 18, the average age at marriage in the United Arab Emirates had risen to 25 because an increasing number of girls were pursuing their studies to university level and marrying later in life. Premarital medical examinations were not compulsory but genetic testing was strongly encouraged by the Government, in order to protect future generations against certain hereditary diseases. If a couple was found to be at risk of passing on a hereditary disease, they were not forbidden to marry but received counselling to enable them to make an informed decision about their future.

12. Ms. AL-AMERI (United Arab Emirates) said that the hotline that had been set up to provide counselling for people dealing with family problems was a free service.

13. Ms. AL-HOWSANI (United Arab Emirates) said that the Government had taken steps to raise awareness of the negative effects of certain films and media programmes, particularly if they contained religiously controversial material.

14. Mr. AL-JARMAN (United Arab Emirates) said that the reservation of the United Arab Emirates to article 17 of the Convention, concerning access to appropriate information, stemmed from its desire to protect children from access to harmful materials. However, in the light of recent technological developments, such as the Internet, the Government recognized that it was

virtually impossible to continue its policy of protectionism and had decided to reconsider its reservation to article 17. A censorship commission would continue to control the dissemination of material that was deemed harmful to children.

15. Ms. AL-HOWSANI (United Arab Emirates) said that the system of birth registration was excellent. Approximately 99 per cent of all babies were born in hospitals or maternity clinics where births were registered systematically. Women who delivered their babies at home were encouraged to register the birth within five days, when they brought the baby into hospital for vaccination against childhood diseases. Parents were encouraged to submit all medical test results to the authorities.

16. Ms. AL-MULLA (United Arab Emirates) said that the Ministry of Education and Youth was responsible for monitoring the implementation of the Convention. Several reforms of the educational system were currently under way; for example, measures had been adopted to reduce the number of children in each class to a maximum of 20 and construction work was being carried out to increase the number of classrooms with natural daylight. A significant amount of money had been spent on building kindergartens and on creating safe playgrounds for each age group with high levels of supervision. The Ministry of Education and Youth had introduced a number of action programmes to teach different age groups about the rights of the child.

17. Mr. AL-JARMAN (United Arab Emirates) said that his Government had signed bilateral agreements with other countries to improve the situation of the child. His Government played an active role in many regional and international organizations, including the League of Arab States which was currently creating new opportunities for partnership with regard to the implementation of the Convention at regional level, and the Organization of the Islamic Conference which had established committees to address the rights of the child in Islamic States.

18. The official language of the United Arab Emirates was Arabic. A copy of the Convention in Arabic had been distributed to all the relevant institutions. Copies in English were available on request.

19. He rejected tendentious allegations that young children were used as jockeys in camel racing and invited those concerned to visit the country to see for themselves that children were protected from such exploitation. The trafficking of children was a punishable offence under the Penal Code and children under the age of 15 were not allowed to work. Camel racing was a popular sport and was subject to strict regulations: jockeys had to weigh at least 45 kilograms and had to wear helmets.

20. Ms. AL-THANI asked whether, if an under-age child injured in a camel race was taken to a State hospital, the case would be followed up, given that the law prohibited the use of children in such races.

21. Mr. AL-JARMAN (United Arab Emirates) said that although at one time children had been used in camel races, a law had been introduced prohibiting the practice and penalties were imposed on those violating the law.

22. The CHAIRPERSON pointed out that the practice was prohibited in the United Arab Emirates and in other countries, yet it was still happening. Moreover, there was a problem of child trafficking associated with the races. He therefore wondered whether the State was experiencing difficulty in implementing the law and wished to know whether there were examples of stable owners being punished for using under age or foreign children. He also wished to know whether the Government was cooperating with other countries in the region to address the issue.

23. Mr. AL-JARMAN (United Arab Emirates) said that although his country was not cooperating with other countries as yet, it was willing to do so if the races were causing concern to the international community. Camel racing was a part of his country's culture and although there had been cases of abuse in the past, the sport had been developed and modernized to bring it into line with the international standards that applied to horse racing.

24. In reply to a question concerning migrant workers, he said that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was proving difficult to implement, but that the rights of such workers were respected in the United Arab Emirates. Migrant workers were granted temporary employment contracts and were not subject to any form of discrimination or abuse. They came to the country with their families and had the right to practise their religion, receive medical treatment and send their children to schools where they could learn their national language - all of which also applied to domestic workers. Although there had been cases of abuse they were the exception, not the rule. The United Arab Emirates was a member of the ILO and had ratified a number of conventions on migrant workers.

25. Ms. AL-HOWSANI (United Arab Emirates) said that there was no discrimination between the sexes and that if a woman wanted to work, she had the right to do so under the same conditions as men. The President, Sheikh Zayed bin Sultan Al Nahyan, had made a point of promoting the rights of women, and the first woman ambassador would soon be taking up her post. Other bodies that played an important role in promoting women's rights were the Women's Federation and the Business Women's Council.

26. Mr. CITARELLA noted that legislation on the family was still to a great extent influenced by customary law, in which the emphasis was on the prevalence of the father in all affairs. He also asked for further information on the situation of children born out of wedlock, given that customary law was based on Islamic Shariah law.

27. Ms. AL-HOWSANI (United Arab Emirates) said that women in the United Arab Emirates had an important role to play in society under both customary law and ordinary State legislation. Women and girls in the United Arab Emirates enjoyed far more rights than in many other countries. Both men and women had roles to play within the family and how those roles were divided up was a personal matter for each family. Children born out of wedlock were not a problem because the phenomenon did not exist in the United Arab Emirates.

28. Ms. AL-THANI said that that was a theoretical ideal but not necessarily the case in practice. She wished to know whether such children were integrated into families or taken care of by the State, and what safeguards existed to protect their rights and those of mothers giving birth to children out of wedlock.

29. Ms. AL-AMERI (United Arab Emirates) said that where children were born out of wedlock, either the mother or father's family or another family took charge of the child, but the family unit had to consist of a mother and father with no children of their own. The child was granted Emirates nationality and given a passport. Children born out of wedlock and their mothers had all their rights respected. Orphans with no known parents were considered to be citizens of the State.

30. Ms. AL-THANI asked what measures were in place to ensure the supervision of a child's integration into a family and what procedures existed for follow-up.

31. Ms. AL-AMERI (United Arab Emirates) said that the Ministry of Labour and Social Affairs was responsible for supervision and follow-up. The child also received an allowance up to the age of 18 years and full access to health and education services. The child's case was reviewed every six months by the social services. At the age of 18 the child had the right to marry. Should someone appear and claim that the child belonged to him or her, that fact would be investigated by the Ministry of Justice and the child's case would be reviewed under law.

32. Ms. AL-MULLA (United Arab Emirates) said that there were approximately 700 cases of divorced registered by the State. A divorced women was entered on the social security register and received an allowance. She enjoyed the same rights as other citizens and even if she was not a national of the United Arab Emirates she and her children received social benefits.

33. Mr. AL-SUWAIDI (United Arab Emirates), replying to a question on education services and possible discrimination between boys and girls, particularly for non-nationals, said that education was provided free-of-charge to Arabic-speaking nationals and non-nationals and that non-nationals could also place their children in Emirates schools for a minimal fee. There were also many private schools catering for the various foreign communities and, on payment of a fee, nationals could also send their children to such schools. The same applied to health services which were available to all non-nationals for a minimal fee.

34. Ms. AL-THANI asked whether obesity was a problem in the country and whether studies had been made of the phenomenon. She also requested further information on adolescent health issues such as smoking, drugs and alcohol consumption. She pointed out that although educational campaigns needed to be introduced in many Arab countries there was a reluctance to discuss such issues and wondered whether they had been raised in the United Arab Emirates.

35. With regard to disabled children and those with special needs, she was aware that a very high number had been integrated into the education system and great progress made with integration policies. She therefore requested some statistics and asked what criteria were used to evaluate the integration policies.

36. Mr. AL-SHEDDI recommended that the United Arab Emirates should consider ratifying the Convention against Discrimination in Education. Although he was aware that great efforts had been made in recent years to develop education, he was concerned that some of the objectives of the Convention relating to the quality of education had not found their way into the State's new education plan, in particular the aspects of tolerance and respect for the rights of others. The question of human rights and children's rights should also be addressed through extra-curricular activities and cooperation between families and schools in the interests of the child. He requested further explanation of what happened to older children who had to repeat a year at school, possibly by attending adult education classes. He wished to know what age group was involved and whether consideration was given to the issue under the new educational plan currently being implemented.

37. Mr. CITARELLA noted that persons under 18 years of age convicted in the courts were not given prison sentences but committed to rehabilitation centres. He asked for details about the running of such centres, including measures taken for correction and social readjustment. He was concerned about the apparent disparity in civil and religious court procedures; under the latter, for example, it seemed that a defendant might have no right to legal assistance, and there seemed to have been cases, involving arraigned foreign nationals, in which the relevant consulate had not been informed of the proceedings. He would also like to have information about the Diwan institution, which seemed empowered to review sentences and even refer cases back to the courts, although not formed of legally qualified persons.

38. The CHAIRPERSON noted that in some cases a juvenile offender was brought before a federal court and in others before a religious court; he would like to know who took the relevant decision, and on what grounds. There also seemed to be a large number of court cases involving "illegal residents", about which he would appreciate details.

39. Ms. CHUTIKUL said that, according to the report (CRC/C/78/Add.2), only some 50 per cent of children received early childhood education. It seemed, too, that children who received such education were cared for by women teachers only. She wondered whether men were discouraged by factors such as custom or low pay, whether there were any plans to change matters, and why certain family education classes seemed to be for girls only. She would also like to know how children who had learning difficulties, such as short attention span, but could not be classified as disabled, were dealt with.

40. Ms. SARDENBERG said she was disappointed at the lack of information in reply to the Committee's questions about camel racing - an activity that had been questioned in other United Nations bodies too. Evidence of more government attention to the problem would be welcome. She would appreciate more information about private schooling in the country - a subject on which there seemed to be little monitoring and information gathering. She shared the concern voiced about the lack of male teachers in early childhood classes and the fact that some classes were for girls only. She would appreciate curriculum details and hoped that, in general, girls had access to all subjects and were not restricted to domestic lessons. Primary school enrolment levels were still good, at about 80 per cent, but they had previously been recorded as almost 100 per cent; she wondered what had caused the drop. She would also like to know why the curriculum did not include physical education for girls, and whether children had any say in disciplinary matters concerning them.

41. Ms. KHATTAB said that, since the United Arab Emirates seemed likely to become a major tourist destination, and since sexual exploitation of children was closely linked to the tourist trade, as noted at the second World Congress against Commercial Sexual Exploitation of Children, she would like to know whether any precautions were being taken.

The meeting was suspended at 4.35 p.m. and resumed at 4.50 p.m.

42. Ms. AL-HOWSANI (United Arab Emirates) said that mortality rate at birth was 8 to 10 per 1,000. No details were currently available about the incidence of obesity but it was hoped that details of the problem's extent and of remedial measures would be shortly available, together with information about the infant nutrition policy which it was intended to introduce. Some 90 per cent of infants were breastfed from birth to six months, and roughly 73 per cent beyond that age. Hospitals in the country were very good, four of them being of international repute.

43. Considerable importance was attached to the health of adolescents, a special ministerial department having been established in 1996 to deal with that subject, in close collaboration with other ministries, youth associations and religious organizations. Measures to promote health awareness among young persons included special programmes in schools. One programme, under which some students attended special sessions on matters such as accident prevention and the problems of smoking, casual sex and obesity, so that they in turn could teach others, was working well.

44. Ms. AL-AMERI (United Arab Emirates), replying to a question by Ms. Al-Thani, said that maternity leave payment consisted of two months on full pay followed by two months on half pay and two without pay. Employees were entitled to up to five such leave periods.

45. Ms. AL-MULLA (United Arab Emirates) said that, in the school system, children with minor disabilities were fully integrated in normal classes. There were various regimes, including reintegration measures, for more serious cases, and there were special institutions for children with the severest disabilities. Following a successful period of experiment, a system had been established under which experts from the Ministry of Education decided which children could attend ordinary schools and which should be educated in special institutions.

46. Mr. AL-JARMAN (United Arab Emirates) said that his country's authorities were considering accession to the UNESCO Convention against Discrimination in Education and several other international instruments.

47. Ms. AL-MULLA (United Arab Emirates) said that the Ministry of Education's "20/20 Plan" had been prepared with the participation of education experts and parents. Copies of the plan would be sent to the Committee. Widespread changes were being introduced in education policy, including consideration of matters such as school meals.

48. Mr. AL-SHEDDI said he would be pleased to see a copy of the Plan. He hoped that it duly reflected the Convention's provisions, because it was important that experts on the rights of the child should be involved.

49. Ms. AL-MULLA (United Arab Emirates) said that, although adult education began at the age of 18, special separate courses were available for young persons who had reached that age but needed repeat education at secondary level.

50. Ms. AL-AMERI (United Arab Emirates) said that juvenile delinquency matters were dealt with by a special section in the Ministry of Labour and Social Affairs. Special education centres existed for such persons, such as the Centre for Girl Minors at Sharjah.

51. Mr. AL-SUWAIDI (United Arab Emirates) said the religious courts had jurisdiction in cases of divorce, alimony and child custody, among other matters, and were regulated under the law and the Shariah. There was also a special court dealing with minors' inheritance and property rights. Procedures in civil court cases involving juveniles were regulated under the law. Juveniles first were dealt with by a social worker and then appeared before the civil court. The parents were notified and the juvenile could be released into their custody. In general, penalties were much less severe than those for adults, starting with a reprimand and becoming progressively more severe. Capital punishment for juveniles did not exist.

52. Mr. CITARELLA said he understood that Shariah courts had been vested with competence in all matters, including juvenile cases, under a 1994 Presidential Decree, and he wondered whether that order still applied. He also asked whether Shariah courts could sentence children to prison or only to rehabilitation centres.

53. Mr. AL-SUWAIDI (United Arab Emirates) said there had been a period when religious courts had tried other cases, but in cooperation with the relevant courts.

54. Juveniles had a legal right to a lawyer and in major cases must be defended by a lawyer. If they could not afford a lawyer the State provided one. In criminal cases, the detainee had the right to ask the State to provide a defence lawyer.

55. The CHAIRPERSON said he was still unclear about when a juvenile would appear before a Shariah court and when before a federal court.

56. Mr. AL-SUWAIDI (United Arab Emirates) said there was no difference between the religious courts and the civil courts. Juvenile delinquents were covered by the same law in both cases. Local courts, too, applied the same law as federal courts.

57. Mr. CITARELLA said the law might be the same, but the procedures were different. In the Shariah court, there was no clear-cut right to legal assistance.

58. Mr. AL-SUWAIDI (United Arab Emirates) said procedures were in fact the same: the same obligations and rights arose from the law and the juvenile had the same right to a lawyer. Conditions for legal assistance were the same for religious and civil courts but there was a discretionary element, since the examining magistrate determined whether there was enough evidence to send a case to court.

59. Mr. AL-KHADER (United Arab Emirates), referring to the question of illegal residents, said measures had been taken in 1997 to regularize illegal immigrants or allow them to leave. There were various penalties for illegal immigrants, depending on their status at the time of arrest: those caught in the act of entering the country were repatriated forthwith; those discovered later, and those who outstayed their residence permit, could be taken to court and fined a small sum. The State was looking into the possibility of granting an amnesty for all such immigrants, in which case they would receive no punishment.

60. Ms. AL-MULLA (United Arab Emirates) said there were kindergartens throughout the Emirates and 50 per cent of children attended. However, pre-school education was not compulsory and the State did not encourage separation of children from their parents. Pre-school education was regarded as an extension of the family, which was why teachers of the under-fives were women. From primary school upwards, there were simply not enough male teachers and that was why women did that job.

61. Both boys and girls attended courses in family education.

62. Teachers and parents did not always know how best to deal with children with special needs, but such children were not educated separately. Schools tried to maintain strong links with families, and at the primary level assistance was also provided by social workers.

63. Private schools must be established in approved buildings and were subject to regular Ministry of Education inspections. Strict regulations applied to the curriculum and the evaluation of schools and teachers.

64. Boys and girls followed the same curricula, although special pre-university courses were currently being tested for girls, who were considered to have particular needs in that regard.

65. She said the notion of physical education, particularly with younger children, had moved on from the sports-based approach used in the past, which had on occasion given rise to accidents, to a movement-based approach that emphasized general development of children's physical abilities.

66. Ms. AL-AMERI (United Arab Emirates) said the Children's Parliament had considered the question of the amount of time children spent with their nannies rather than with their mothers. Many children complained that they spent too long with their nannies because, if their mothers worked, they had little time or energy for the children when they returned home. Children wanted to be able to talk to their mothers more, and had requested more time with their mothers. As a result of that request, courses had been organized to impress upon mothers how important it was to spend time with their children.

67. Ms. AL-HOWSANI (United Arab Emirates), replying to a question on trafficking in children and sexual exploitation, said that in her experience with women's organizations and as a government official and gynaecologist, she had not found the issue to be a major problem in the Emirates.

68. The CHAIRPERSON said he understood that women in the Emirates tended to prefer non-science and non-technical studies. While that situation was not unique to the Emirates, he wondered whether there was a programme to encourage women to enter technical fields.

69. Mr. AL-JARMAN (United Arab Emirates) said there was no problem in that regard.

70. Ms. AL-THANI thanked the members of the delegation of the United Arab Emirates for the excellent dialogue they had conducted with the Committee.

71. Mr. AL-JARMAN (United Arab Emirates) said his Government had tried to cooperate fully with the Committee and provide all the information possible. Its first report had not been perfect, but he hoped that future reports would give a better picture of the situation of children in the United Arab Emirates.

The meeting rose at 5.45 p.m.